

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

ORDER NO. 98-068

AMENDMENT TO SITE CLEANUP REQUIREMENTS (ORDER NO. 96-114)

THE DILLINGHAM CONSTRUCTION NORTH AMERICA, INC.
JOB AND ELAINE DEBRUIN

for the property located at

903 Eighth Street
Napa, Napa County, California

The California Regional Water Quality Control Board, San Francisco Bay Region
(hereinafter the Board), finds that:

1. Regional Board Orders: The Board adopted the site cleanup requirements Order No. 96-114 (Order), for the Basalt Precast Division of Dillingham Construction North America, Inc. (hereinafter "Dillingham"), 903 Eighth Street, Napa California on August 21, 1996. The Order specified tasks and set forth deadlines for investigation and remediation of the former bulk petroleum and dispensing facility.
2. Finding No. 1 indicates that the site is located at 903 Eighth Street in Napa. Information recently obtained indicates that the site address is 901-903 Eighth Street.
3. Finding No. 3 of Site Cleanup Order No. 96-114 names Basalt Precast Division of Dillingham as the primary discharger, and Job and Elaine Debruin (Debruins) responsible for compliance only if the Board or Executive Officer finds that other named dischargers have failed to comply with the requirements of Order No. 96-114.
4. Reason for Amendment: The objectives for amending the requirements of Site Cleanup Order No. 96-114 are to:
 - a.) Provide a more precise site address;
 - b.) Clarify that Dillingham, rather than a particular Division thereof, is responsible under Order 96-114; and
 - c.) Revise the deadlines of tasks contained in Order No. 96-114.

5. CEQA: This action is an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
6. Notification: The Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.
7. Public Hearing: The Board, at a public meeting, heard and considered all comments pertaining to this discharge.
8. Any person affected adversely by this action of the Board may petition the State Water Resources Control Board to review the action. The petition must be received by the State Board within 30 days of the date of the issuance of this Order. Copies of the law and regulations applicable to filing the petition will be provided on request. _

IT IS THEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that, Findings 1 and 3, and Tasks B2, B3, B4 and B5 of Order No. 96-114 shall be amended as follows:

- A. Finding No. 1: The property located at 903 Eighth Street, Napa, Napa County (site) is approximately 24,200 square feet in area. Several buildings occupy the site with a total footprint of approximately 10,000 square feet. The property is bordered on the north by residences, on the south by commercial development, on the east by a former railroad spur, a residence, commercial building and Eighth Street, and on the west by the Napa River. Surrounding land use is primarily commercial/industrial.
- B. Finding No. 3: The Board finds that Dillingham is a discharger. As the owner and operator of the facility and based upon past chemical usage, and operations described in finding 2 above, Dillingham is responsible for meeting the requirements of this Order. Order 96-114 identified Job and Elaine Debruin, as current property owners, as dischargers and responsible for compliance only if other dischargers failed to comply with the terms of the Order.
- C. TASK B2: COMPLETION OF SITE ASSESSMENT:

Compliance Date: July 31, 1998

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in the in Board approval workplan of April 27, 1998. The report should contain (1) the result of groundwater sampling

event on or about July 15, 1998, and (2) an evaluation of the potential impact to the Napa River, including an analysis of the elevation of the groundwater (as compared to mean sea level), the influence of tidal fluctuations and the permeability of site soils.

D. Task B3: INTERIM REMEDIAL ACTION WORKPLAN

Compliance Date: October 31, 1998

Submit a workplan acceptable to the Executive Officer to evaluate interim remedial action alternatives and to recommend one or more alternatives for implementation. The interim remedial actions should accomplish pollutant source removal. The workplan should specify a proposed time schedule and an assessment of benefits and costs associated with joint cleanup performed with neighboring parties. Work may be phased to allow the investigation to proceed efficiently. If groundwater extraction is selected as an interim remedial action, then one task may be the completion of an NPDES permit application for discharger of extracted, treated groundwater to waters of the State.

E. TASK B4: COMPLETION OF INTERIM REMEDIAL ACTIONS:

Compliance Date: February 15, 1999

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in the Task B3 work plan. For on going actions, such as soil vapor extraction or groundwater extraction, the report should document start-up as opposed to completion.

F. TASK B5: PROPOSED FINAL REMEDIAL ACTIONS AND CLEANUP STANDARDS:

Submit a technical report acceptable to the Executive Officer containing:

- a. Results of the site assessment
- b. Evaluation of the installed interim remedial actions
- c. Feasibility study evaluating alternative final remedial actions, one alternative should include cooperative cleanup with neighboring parties,
- d. Risk assessment for current and post-cleanup exposures at the discharger's option
- e. Recommended final remedial actions and cleanup standards
- f. Implementation tasks and schedule.

Items b and c should include projections of cost, effectiveness, benefits, and impact on public health, welfare, and environment of each alternative action.

Item a through c should be consistent with the Stated Board Resolution No. 92-49 as amended (“Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304”).

Compliance Date: April 1, 1999

- G. This Site Cleanup Requirements Order clarifies that Dillingham Construction Corporation rather than the Basalt Precast Division thereof, is a discharger and is primarily responsible for compliance with the new deadlines set forth in this Amendment of Order 96-114.
 - H. Job and Elaine Debruin will be responsible for compliance only if the Board or Executive Officer finds that other named dischargers have failed to comply with the requirements of this Order.
- I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 15, 1998.

Loretta K. Barsamian
Executive Officer